

DE 99-032

PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE

Additional Petitioner: GRANITE STATE ELECTRIC COMPANY

Petition to Amend Franchise Area Border in the Town of Windham,  
New Hampshire

Order NISI Granting Petition

O R D E R    N O.    23,211

May 10, 1999

The Petitioners, Public Service Company of New Hampshire (PSNH), and Granite State Electric Company (GSE), filed a Joint Petition under NH RSA 374:22 and 374:26 with the New Hampshire Public Utilities Commission (Commission) on March 16, 1999, to amend their franchise area border in the Town of Windham, New Hampshire to accommodate the initial needs of a housing developer, "Windham, N.H. Development Company, LLC" (WDC).

WDC is developing a housing community in the Town of Windham, New Hampshire to be called Castle Reach. The existing franchise border between GSE and PSNH runs in a southwesterly/northeasterly line and passes through the southeastern portion of the proposed development. PSNH's service territory is on the northwestern side of the franchise border while GSE currently serves a franchise area on the southeastern side of the border which includes Searles Road. This is the road which will be extended into the southeastern section of the new

Castle Reach housing development.

PSNH was approached by WDC to supply service to the homes being constructed in the Castle Reach development. WDC planned to install a motor driven water pump at the eastern edge of PSNH's service territory on Searles Road. Initially, the pump was going to require three-phase service. Plans called for this pump to be in operation prior to home construction.

In order to serve this three-phase water pump location, PSNH's existing three-phase service would have needed to have been extended more than one mile to the pump site. In contrast, GSE has three-phase power at a point less than half a mile from the pump site. Construction of PSNH's three-phase line extension, most of which was to be underground, was not justified in light of the revenue it could produce. Accordingly, PSNH would have had to request a substantial up-front payment from WDC.

PSNH was recently notified that WDC changed its water pump specifications so that the pump would require single phase, not three-phase, power. This change resulted after the two utilities and WDC had agreed to file a Joint Petition with the Commission asking for permission for GSE to serve the load from its existing facilities up to the water pump location.

WDC is ready to begin construction. The requirement for single phase service, while practical for PSNH to supply, did not fit PSNH's schedule considering the timing of the housing

project. As shown on the Overview Plan attached to the Petition, in addition to service to the water pump, only seven building lots are involved, six of which have some portion located in GSE's existing territory. PSNH has stated that the impact on it is minimal, and WDC agrees that it will not request service be extended further by GSE into the PSNH service territory.

PSNH's relinquishment and GSE's assumption of the electric service responsibility for the identified lots substantially reduces the costs WDC would have to pay PSNH for extension of PSNH's lines to serve new customers, which would have arguably been located in PSNH's service territory, and allows the customers to receive service on a more reasonable time schedule.

Accordingly, the Commission finds that allowing PSNH and GSE to amend their franchise area border in the Town of Windham, New Hampshire as requested is in the public good.

**Based upon the foregoing, it is hereby**

**ORDERED NISI**, that the Joint Petition of PSNH and GSE to amend their franchise area border in the Town of Windham, New Hampshire is granted; and it is

**FURTHER ORDERED**, that the franchise line between PSNH and GSE be relocated such that Lot 7-A-3000, Lots 7-A-3005 through 7-A-3008, Lots 7-A-50 through 7-A-52, and part of Lot 7-A-691 be within GSE pursuant to RSA 374:22 and 26. This is shown

on a plan entitled "Overview Plan-Castle Reach Phase 1B" of WDC, a copy of which accompanies the petition; and it is

**FURTHER ORDERED,** that Lots 7-A-3001 through 3003 and Lots 7-A-678 through 679 and all lots to the north and west of those lots as they appear on said plan entitled "Overview Plan-Castle Reach Phase 1B" of WDC will be served by PSNH facilities; and it is

**FURTHER ORDERED,** that all construction shall meet the requirements of the National Electrical Safety Code and all other applicable safety standards in existence at that time; and it is

**FURTHER ORDERED,** that the joint petitioners file revised Commission Service Territory Maps for their respective territory within 60 days from the effective date of this order, reflecting the above changes in service areas brought about by this revision in franchise boundaries and specifying thereon that the maps are effective on the date hereof by authority of the above Commission Order No.; and it is

**FURTHER ORDERED,** that the Petitioner shall cause a copy of this Order Nisi to be published once in a statewide newspaper of general circulation or of circulation in those portions of the state where operations are conducted, such publication to be no later than May 17, 1999 and to be documented by affidavit filed with this office on or before May 24, 1999; and it is

**FURTHER ORDERED,** that all persons interested in

responding to this petition be notified that they may submit their comments or file a written request for a hearing on this matter before the Commission no later than May 27, 1999; and it is

**FURTHER ORDERED,** that any party interested in responding to such comments or request for hearing shall do so no later than June 3, 1999; and it is

**FURTHER ORDERED,** that this Order Nisi shall be effective June 14, 1999, unless the Commission provides otherwise in a supplemental order issued prior to the effective date.

By order of the Public Utilities Commission of New Hampshire this tenth day of May, 1999.

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Douglas L. Patch  
Chairman

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Susan S. Geiger  
Commissioner

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Nancy Brockway  
Commissioner

Attested by:

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Thomas B. Getz  
Executive Director and Secretary